

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 24, 2023

SEAN F. MCAVOY, CLERK

U.S.A. vs.

Batke, Brandon Christopher

Docket No.

0980 2:22CR00094-TOR-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Brandon Christopher Batke, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James A. Goeke, sitting in the Court at Spokane, Washington, on the 1st day of September 2022, under the following conditions:

Additional Condition #15: Defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of prohibited substance testing.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 6, 2022, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Batke. Mr. Batke acknowledged an understanding of the release conditions at that time.

Violation #2: Brandon Christopher Batke is alleged to have violated the conditions of pretrial release supervision by providing a dilute urine specimen on April 13, 2023.

On April 13, 2023, Mr. Batke reported to the U.S. Probation Office for the purpose of random drug testing. Mr. Batke provided a urine specimen that tested presumptive positive for the presence of buprenorphine, which is consistent with prescribed medication previously reported. Due to Mr. Batke testing positive for the presence of fentanyl at his substance abuse treatment provider, which was previously reported to the Court, the undersigned officer sent the sample to Alere Toxicology Services (Alere) for further analysis.

On April 20, 2023, Alere confirmed the above-noted urine sample tested positive for the presence of buprenorphine (consistent with prescribed medication) and negative for fentanyl. However, the urine specimen was determined to be "dilute."

PRAYING THAT THE COURT WILL INCORPORATE THE ABOVE VIOLATION WITH VIOLATION
PREVIOUSLY REPORTED TO THE COURT

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: April 21, 2023

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

Re: Batke, Brandon Christopher

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

April 24, 2023

Date